

REMARKS:

Claim 1 has been cancelled. Claim 2 has been amended for clarity and to add the recitations of claim 5, which is cancelled. Claim 4 has been amended in response to a requisition by the Examiner. Claims 21-23 have been cancelled. Claim 24 has been amended to include the recitations of claim 27 and 28, which are cancelled. Claim 29 has been amended to include the recitations of claims 32 and 33, which are cancelled.

CLAIM OBJECTIONS:

The Examiner has objected to claims 28 and 33 on the basis that it is unclear how the pins can extend radially when they extend longitudinally in the preceding claim, upon which 28 and 33 depend. It was noted that figure 10 shows the configuration, however, the language is unclear. By the present amendment, the recitations of claim 28 and 33 have been included in present claims 24 and 29. They thus no longer depend on claims 27 and 32, and are thus no longer unclear and confusing.

35 USC § 112

The Examiner has objected to claim 4 under 35 U.S.C. 112, second paragraph, as being indefinite for using a trade-mark as a limitation to identify a particular material product. By the present amendment, the trade-mark has been removed and the relevant feature of this trade-marked product, namely having an aluminum slug or a rear surface of said LED, has been included into the claim. This feature of the Luxeon Star LED is well known to those skilled in the art as of the priority date of the present application.

35 USC § 102

The Examiner has objected to claim 1 under 35 U.S.C. 102(b) as being anticipated by Usher, US Patent No. 6,170,967. By the present amendment, claim 1 has been cancelled.

The Examiner has objected to claims 2, 3 and 7 under 35 U.S.C. 102(b) as being anticipated by Petroski, US Patent No. 6,481,874.

The Examiner has noted that claims 5 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. By the present amendment, the subject matter of claim 5 has been incorporated into claim 2. The action acknowledged that none of the prior art disclosed the limitations of claim 5. While claim 5 originally depended from claim 3, the limitations of claim 3 have not been incorporated into claim 2 as it is believed that claim 2 as amended is allowable. Thus, intervening claim 3 has been retained in its original form. Allowability of original claim 5 clearly indicates that the elements as specified in original claim 5 are not disclosed in the Petrowski or Wang references. Thus, amended claim 2 cannot be anticipated. Moreover, neither of these references suggest the invention of present claim 2 so that claim 2 and its dependent claims 3, 4 and 6-20 are necessarily allowable.

Claims 3 and 4 are dependent upon claim 2, which is allowable subject matter.

Claim 6 has been amended to be dependent upon claim 2, which incorporates the subject matter of intervening claim 5, and thus is allowable subject matter.

Claim 7 is dependent on claim 2, which is allowable subject matter.

The Examiner has objected to claims 21-23 as being rejected under 35 U.S.C. 102(b) as being anticipated by Hamilton, US Patent No. 5,763,951. By the present amendment, claims 21-23 have been cancelled.

35 USC § 103

The Examiner has objected to claims 24-27 under 35 U.S.C. 103(a) as being unpatentable over Wang in view of Noh, US Publication No. 2006/0133090. The Examiner has indicated that claim 28 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By the present amendment, claim 24 has been amended to include the limitation of claim 28

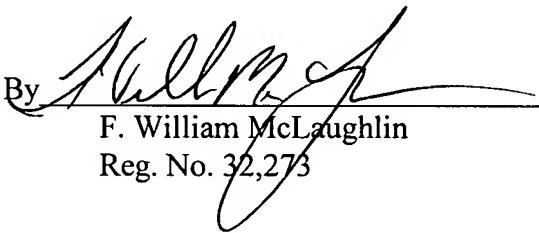
and all intervening base claims, namely claim 27. Thus claim 24, as amended, is allowable subject matter.

Claims 25 and 26 are also allowable.

The Examiner has objected to claims 29, 30, 31, 32, 34, 35, 36, 37 and 38 as being obvious in view of Wang and Noh. The Examiner has indicated that claim 33 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. By the present amendment, claim 29 has been amended to include the limitations of claim 33, and intervening claim 32. Accordingly, claim 29, as amended, is allowable subject matter. Claims 30, 31 and 34-38 are also allowable.

It is respectfully submitted that the present amendment and remarks herein are a complete response to all outstanding issues. Favorable consideration is respectfully requested. If anything further is required, please contact the undersigned.

Respectfully submitted,

Date: June 3, 2009
By 
F. William McLaughlin
Reg. No. 32,273

Wood, Phillips, Katz, Clark & Mortimer
Citigroup Center, Suite 3800
500 West Madison Street
Chicago, Illinois 60661
(312) 876-1800